



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Charles J. Winslow et al.

Examiner: Julian W. Woo

Serial No.: 08/889,661

Group Art Unit: ~~3309~~ 3731

Filed: July 8, 1997

Docket: 203-1782 CON (1791 CON)

For: OPEN POSTERIOR LUMBAR
FUSION CAGE INSERTION SET

Dated: March 6, 1998

RECEIVED

Assistant Commissioner for Patents
Washington, D.C. 20231

MAR 16 1998

GROUP 3300

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

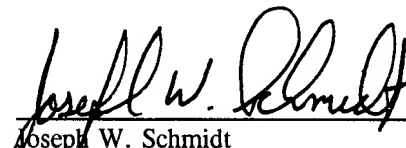
Pursuant to Applicants' continuing duty of disclosure, it is respectfully requested that the references cited in the annexed Form PTO-1449 be considered by the Examiner and made of record in the above-identified application.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that these disclosures are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, it will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231 on March 6, 1998.

Dated: March 6, 1998


Joseph W. Schmidt

The references cited in this Supplemental Information Disclosure Statement (SIDS) were cited in an Annex to the European Search Report mailed by the European Patent Office (EPO) in connection with counterpart European Application No. 97 104 277. A copy of the Search Report is enclosed herewith.

Pursuant to 37 C.F.R. §1.98(a)(3), a concise explanation of the non-English publication is as follows:

DE 25 42 056 appears to relate to a drilling apparatus;

DE 85 24 537 appears to relate to a drilling apparatus; and

FR 736 213 appears to relate to a drilling apparatus.

Also cited in the Search Report are DE 43 28 690, FR 2 706 309, U.S. Patent No. 5,484,437 and U.S. Patent No. 5,026,373. These references or patent family members are already of record in this application.

The filing of this Supplemental Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

The claims of the subject application are believed to distinguish over the art of record and to be in condition for allowance. Accordingly, early and favorable consideration of the case is respectfully requested.



CERTIFICATION UNDER 37 C.F.R. §1.97(e)(1)

Applicants submit that each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

Respectfully submitted,

Joseph W. Schmidt
Registration No. 36,920
Attorney for Applicants

DILWORTH & BARRESE
333 Earle Ovington Boulevard
Uniondale, New York 11553
(516) 228-8484

JWS:wag